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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 CHARLES BOLDING, *et al.*,

10 Plaintiffs,

11 v.

12 NAV-LVH CASINO, LLC, *et al.*,

13 Defendants.
14

Case No.: 2:16-cv-00617-RFB-CWH

ORDER

Report & Recommendation of Magistrate
Judge C.W. Hoffman, Jr. (ECF No. 31)

15 Before the Court for consideration is the Report and Recommendation of the Honorable
16 C.W. Hoffman, United States Magistrate Judge, regarding Defendants' Motion to Sever Plaintiff
17 Shipman's Claim into a Separate Action (ECF No. 27).

18 On October 25, 2016, Judge Hoffman issued a Report and Recommendation,
19 recommending that Defendants' Motion be GRANTED, and that Shipman's case should be
20 dismissed without prejudice. Judge Hoffman further recommended that it be ordered that should
21 Shipman wish to proceed against Defendants, he must file a new and separate action, consistent
22 with his order, on or before November 30, 2016.

23 A district court "may accept, reject, or modify, in whole or in part, the findings or
24 recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). A party may file specific
25 written objections to the findings and recommendations of a magistrate judge. 28 U.S.C.

1 § 636(b)(1); Local Rule IB 3-2(a). When written objections have been filed, the district court is
2 required to “make a de novo determination of those portions of the report or specified proposed
3 findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1); see also Local
4 Rule IB 3-2(b). Where a party fails to object, however, a district court is not required to conduct
5 “any review,” *de novo* or otherwise, of the report and recommendations of a magistrate judge.
6 Thomas v. Arn, 474 U.S. 140, 149 (1985).

7 Pursuant to Local Rule IB 3-2(a), objections were due by November 11, 2016. No
8 objections were filed by that date. The Court has reviewed the record in this case and agrees with
9 Judge Hoffman’s recommendation.

10 Therefore,

11 **IT IS HEREBY ORDERED** that the Report and Recommendation (ECF No. 31) is
12 ACCEPTED and ADOPTED in full.

13 **IT IS FURTHER ORDERED** that Defendants’ Motion to Sever Plaintiff Shipman’s
14 Claim into a Separate Action (ECF No. 27) is GRANTED and Plaintiff Shipman’s case is
15 DISMISSED without prejudice.

16 **IT IS FURTHER ORDERED** that should Plaintiff Shipman wish to proceed against
17 Defendants, he must file a new and separate action, consistent with the Report and
18 Recommendation, on or before November 30, 2016.

19 DATED this 6th day of December, 2016.

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22 **RICHARD F. BOULWARE, II**
23 **UNITED STATES DISTRICT JUDGE**
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